

AN
ADDRESS
TO THE
MEMBERS
OF THE CORPORATION OF
SURGEONS
OF LONDON,
RESPECTING THE PROCEEDINGS OF THE
COURT OF ASSISTANTS.

LONDON.

1798.

TO THE
MEMBERS
OF THE
CORPORATION OF SURGEONS
OF LONDON.

GENTLEMEN,

UNDERSTANDING that you are invited to renew the late displeasing contest with the Court of Assistants, I take the liberty of calling your attention to a few observations, which may be of importance for you to consider, before you become too deeply involved in a dispute, expensive in its continuance, and after all, uncertain as to its event.

It is perhaps unnecessary to say, that notwithstanding the failure of the late application to Parliament, which a variety of circumstances had

had concurred to produce, the Court conceived it would be wrong to desert that part of the public service, with which the legislature had entrusted them. It is well known, that the defect in the constitution of the company, was occasioned by a breach of form, which the sudden death of Mr. WALKER, and the paralytic state of Mr. WYATT, (who was then at a considerable distance from London) rendered unavoidable in the election of officers, in July, 1796. Government did not take occasion from this defect, to withdraw their confidence from the Court ; but on the contrary, continued, and still continue, to send the Army and Navy Surgeons and their mates for examination.

The Court for more than fifty years have continued, under the authority of an Act of Parliament, to superintend and protect the science of Surgery. During that period, it has advanced with unexampled rapidity. No longer clogged with the heavy incumbrances which formerly oppressed and degraded it, a spirit of general exertion has been diffused among its professors ; and pupils from all parts of Europe, have been

been sent to England, for instruction in Surgery.*

It therefore appeared improper that the Court, on account of an occurrence they could not prevent, or a mistaken opposition to which that occurrence had given rise, should abandon their stations, forsake the principles on which they had acted, and in the face of facts so strongly evincing the fitness of that establishment, at the head of which the law of the country had placed them, see it totally subverted without a struggle for its preservation. They trusted the public mind would ere long be undeceived, and that the effects of the misrepresentations of their motives and conduct, which had been so industriously circulated, would speedily die away: But at all events it appeared their indispensable duty, to exert their best endeavours to deliver down to posterity entire and unchanged, that system, the

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utility

* The late Royal Academy of Surgery at Paris, the Courts of Vienna, Sweden, Turin, Petersberg, Berlin, and Lisbon, have severally sent Surgeons to London, to attend the public hospitals.

utility of which, both reason and experience had fully evinced.

The Court cannot entertain a wish to curtail the privileges of any individual.—For what do they solicit? *Only that the circumstance which has brought them into their present situation, may be provided against in future, and that they may be enabled to hold premises* suitable, and convenient for the transaction of their business: But IN ALL OTHER RESPECTS, that every thing may be permitted to continue as established by the Act of the 18th of Geo. II.*

No invasion of the rights of the company, no creation of any invidious distinction between its members, has ever been intended by the solicitation of Collegiate rank: This will extend equally to all; and is proposed, only because
cause

* The ruinous state of the Hall in the Old Bailey, which was held only on lease, and the sum necessary to be laid out in its repair, were the reasons which induced the Court to dispose of it, and purchase the estate in Lincoln's-Inn-Fields, which, beside being a freehold, is far more eligible and commodious.

cause the title of *College* appears better suited to a scientific body, than that of *Company*, or *Corporation*, and calculated to produce in the minds of its members, and of students, more correct notions of their duties and pursuits.

It is evident, that the present state of the Corporation does not in the smallest degree affect the personal privileges of any of its members. —It renders dormant the civil capacity of the Court, and the property with which they were entrusted, vests in the King by way of escheat: but the members have precisely the same right to practise Surgery in any part of his Majesty's dominions; and may now claim every exemption to which they were before entitled. The only condition required by the act is, that they shall have been “examined and approved, pursuant to the rules of the Company.” All the members have been so examined and approved, and the situation of the Company can no more deprive them of their privileges, than the dispersion of a jury can set aside the validity of a verdict.

The contest with the Court of Assistants, which you are so earnestly invited to maintain, has not therefore for its object, the preservation of your rights, as practitioners in Surgery, on which it must be impossible for them ever to infringe; but is merely a trial, through whose hands, in future, those rights shall be transmitted to others: Consequently the question to be decided is this—Is it not most for the honour and advantage of Surgery, that this trust should be committed, as it hitherto has been, to those elder and experienced persons, who, devoting themselves solely to the cultivation of this branch of science, are most interested in its purity and perfection?

It has long been considered as necessary, that IN THIS METROPOLIS there should be a class of persons who practise Surgery alone. The care of the public hospitals, and the instruction of pupils devolve on them; they are therefore the principal source from whence the benefits of Surgery are diffused to the public; and are the usual resort for counsel and decision, in the most dangerous and difficult cases.

To frame any system for the superintendence of a College of Surgeons in LONDON, in which it could be possible that such persons should not bear the principal part, would be highly improper. The mode of constituting such a College ought not to be drawn from things occasionally appended to Surgery, and in their own nature separable from it ; but from its own distinct and permanent character.

There are other medical Corporations in London ; namely, the College of Physicians, and the Company of Apothecaries. To each of these the legislature has assigned peculiar privileges and functions. To the Corporation of Surgeons, Surgery only is committed : Over this alone it is their appointed office to watch, without trespassing on the rights or duties of the former.

These points, have been hitherto secured by two regulations ; one of which was fixed by the Act of Parliament, and the other by a Bye-law, framed at an early period after that Act had passed. By the former it was directed that the Court of Assistants should consist of twenty-one persons

persons, who were to hold their offices for life, and of whom ten were to be appointed Examiners. To this Court a power was given of electing members from the Corporation at large, to fill vacancies that might occur in their own number ; and members from among themselves, to supply vacancies in the Court of Examiners*.

The Bye-law ordained, that “no person practising as an Apothecary, or following any other trade or occupation besides the profession or business of a Surgeon, shall be capable of being chosen into the Court of Assistants; or if he should be one of the Court of Assistants, be eligible to the office of Master or Examiner.”

To promote and secure the advancement of Surgery, nothing surely could be of greater importance, than to appoint a station of honour and trust in the profession, which should be attainable by those only who had devoted themselves entirely to its cultivation. And it will from hence appear,

* The rule almost invariably followed by the Court, has been, to chuse from among the members according to seniority, subject to the Bye-law.

pear, that in these two regulations consisted the essence of that system, under which the company has so evidently flourished, and Surgery has been so greatly improved.

To abolish these regulations, is avowedly the principal object of the opponents of the Court ; although it appears that their committee has lately directed the chairman to assert, that “ it is NOT
 “ their design to overthrow the constitution of
 “ the Company ; but on the contrary, they are employ-
 “ ing themselves most zealously to recover the Corpora-
 “ tion, AND ITS CONSTITUTION, from its dormant
 “ state.*”

To shew what degree of credit is due to this declaration, it will only be necessary to mention, that at an interview which took place on the 22nd of November, 1797, between three members of the Court†, and three deputies from the committee of their opponents, the latter gentlemen delivered fifteen propositions, as the ground on which they

* See an Advertisement in the True Briton for March 6, 1798.

† Mr. Keate, Mr. Blizard, and Mr. Cline.

they would concur with the Court, in another application to Parliament. Of these fifteen propositions the two following were to be considered as
 “ INDISPENSABLE, AND NOT TO BE DEPARTED
 “ FROM.”

I. *That all the officers be elected annually, by ballot, by the members of the Corporation at large.*

II. *That there be no disqualifying bye-law, so far as regards the practice of Midwifery and Pharmacy.*

To these conditions the Court refused to consent, and instructed those Gentlemen to inform the deputies, (and they accordingly did inform them) That “ they were *unanimously* of opinion, that
 “ public utility, as well as their duty, called upon
 “ them unequivocally to declare, that to admit the
 “ proposed alterations in the Act of Parliament,
 “ by which the Corporation of Surgeons had been
 “ governed upwards of fifty years, and under the
 “ influence of which, the public had been greatly
 “ benefited, and the profession been rapidly rising
 “ in reputation, would be degrading to its professors, and abandoning the service of the public.”

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The Court appear still to entertain the same opinion; and as it never was imagined that members should be first admitted into the Corporation by the votes of the body at large, what reason can be given why they should be so elected into the Court of Assistants? Is it more likely the Court will be filled by proper persons, if the choice of them be vested in a numerous body (of whom the junior and less experienced members must always compose the greater part) than if they continue to be chosen by those only, who have been themselves elected for the same purposes by their predecessors in office?*

With

* The court at present consists of the following gentlemen:

Mr. EARLE, Master.

Mr. C. HAWKINS, } Wardens.
Mr. LONG,

Mr. Warner, Mr. Wathen, Mr. Lucas, Mr. S. Howard, Mr. Cooper, Mr. Chandler, Mr. Blicke, Mr. Forster, Mr. Birch, Mr. Keate, Mr. Heaviside, Mr. J. Howard, Mr. Blizard, and Mr. Cline.

There are four vacancies, occasioned by the death of Mr. Grindall, Mr. Wyatt, Mr. Minors, and Mr. Gunning.

With regard to the second proposal, it may be observed, that the members of a College of Surgeons can be cognizable by that College, only inasmuch as they are Surgeons: The more completely they sustain this character, the more fit are they to represent the whole body to the public, and the less temptation can they have to make its interests give way to other considerations.—

No disrespect was ever intended to those useful members of the profession, who are engaged in the practice of Midwifery, or Pharmacy: it is only contended, that till they can devote their time and talents to the cultivation of Surgery alone, one chief requisite for the superintendance of it will be wanting.

You will not then give ear to those insinuations which have been circulated to exasperate your minds against the Court—*That it is their intention “ to subvert the ancient laws and “ Government” of the Corporation, and “ to secure “ its property, if possible, to themselves.”* It must be obvious they can hold the property for no other purposes than those for which the Company is incorporated. They must be convinced it was never
more

more necessary than at the present period, that Surgery should be zealously and properly supported; and therefore, having nothing but the good of the public at heart, they cannot feel themselves at liberty to sacrifice principles which have stood the test of experience, for the sake of a speculative and experimental constitution. They have accordingly determined to present a petition for a charter, which shall continue the Corporation on its former plan, with the title of ROYAL COLLEGE.

These remarks, Gentlemen, are not addressed to your passions, but to your reason and judgment. Whatever is most for the honour and prosperity of Surgery, must best deserve your countenance and support. The peculiar circumstances of individuals may bias their minds for a time; but truth, order, and the fitness of things, will finally prevail.

A MEMBER OF THE CORPORATION.

London, March 30, 1798.